FYI WEB F/Barclay/Patents

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PHILIP MORRIS COMPANIES INC. INTER-OFFICE CORRESPONDENCE

120 PARK AVENUE, NEW YORK, N.Y 10017

TO: Dr. Helmut Gaisch DATE: January 21, 1986

FROM: Lee Pollak

SUBJECT: Barclay

I had a lengthy meeting with Ed Bailey and Carl Adkins on the possibility of bringing a lawsuit in Switzerland seeking a declaration of nullity of the Barclay Swiss patents. As I indicated, we may, in fact, wish to bring this litigation but would prefer to await the court's judgment following the March hearing on the German opposition prior to making a final decision.

We have been advised by counsel that this delay will not prejudice our position and I feel that we will be in a stronger position in the Swiss action if we start it after the German determination.

Lee

cc: Mr. Carl Adkins

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